

## REMARKS

The holding of allowable subject matter is gratefully acknowledged.

Claim 15 has been amended to correct a minor error in dependency. Claim 12 recites a record carrier, but claim 15 is supposed to depend from a method claim. Accordingly, claim 15 has been made dependent on claim 1. Applicants respectfully submit that this change does not narrow claim 15 and therefore should not give rise to any filewrapper estoppel.

### Art rejections

The art rejections are respectfully traversed.

Since the references are complex, Applicants will confine their remarks to those portions of the references cited by the Examiner, except as otherwise indicated. Applicants make no representation as to the contents of other portions of the references.

### Claims 1, 3, 13, 14

In rejecting these claims, the Examiner combines Nagara and Tanaka. There are many formats known in the field of optical recording. Generally, these formats are governed by standards. A device known to read data in accordance with one standard is not necessarily going to be able to read data in other formats. In other words, not all formats are compatible with each other. Applicants respectfully submit that the Examiner has failed to show how the linking sections of Nagara are compatible with the formats shown in Tanaka. Accordingly, it is not clear how these references could be combined. Applicants accordingly respectfully submit that the Examiner has failed to present a *prima facie* case against these claims.

## REMARKS

### Claims 2 and 4: Does Nagara show any 2T marks being recorded?

Applicants respectfully submit that Nagara does \*not\* show the recording of any 2T marks on the optical medium.

In concluding otherwise, the Examiner appears to misconstrue Fig. 6a of Nagara. This figure shows a write pulse that looks to the Examiner to be of less than 3T, which is the minimum inversion length. However, as far as Applicants can tell, Nagara makes clear that this write pulse results in a recorded mark of 3T, please see col. 6, lines 15-29 and see "(3T)" written above the write pulse in Fig. 6a. The write pulse is not the same length as the recorded mark.

Applicants therefore respectfully submit that Nagara does not teach or suggest the claimed link mark which is shorter than the minimum runlength. Accordingly, claims 2 and 4 distinguish patentably over the reference.

### Claims 13 and 14

These claims recite scanning a track up to a link position before a selectable addressable location, then recording at the link position. The Examiner purports to find these limitations in Nagara. However, Applicants have read these sections and are not finding these details. Applicants note that the linking section in Nagara does start before the ECC word, but Applicants do not find any mention of scanning or addressable locations. What, precisely, does the Examiner believe corresponds to these recitations?

## REMARKS

### New claims

New claims 19-26 recite that the linking section is substantially shorter than a frame. This distinguishes patentably over Tanaka where all of the linking sections are 2 frames or larger. The shortness of the linking section in the invention gives rise to the possibility for compatibility with a broad range of recording formats.

The other new claims recite additional patentable distinctions between the linking section of the present application and that shown in Nagara.

The Examiner's other rejections and/or points of argument not addressed would appear to be moot in view of the foregoing. Nevertheless, Applicants reserve the right to respond to those rejections and arguments and to advance additional arguments at a later date.

### Information Disclosure

The art cited in the specification does not appear to have been made of record in this application. It is accordingly submitted herewith along with a PTO/SB/8a form.

REMARKS

*Please charge any fees other than the issue fee to deposit account 14-1270. Please credit any overpayments to the same account.*

Applicants respectfully submit that they have answered each issue raised by the Examiner and that the application is accordingly in condition for allowance. Allowance is therefore respectfully requested.

|  |             |
|--|-------------|
| <b>CERTIFICATE OF MAILING</b>  |             |
| I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first class mail in an envelope addressed to |             |
| Commissioner for Patents<br>P.O. Box 1450<br>Alexandria VA 22313-1450  |             |
| On <u>5/24/04</u>  | (date)      |
| By <u>A. E. Barschall</u>  | (signature) |

Respectfully submitted,

By A. E. Barschall  
Anne E. Barschall, Reg. No. 31,089  
Tel. no. 914-332-1019  
Fax no. 914-332-7719  
Date of printing: May 24, 2004